

5289. Adulteration of shell eggs. U. S. * * * v. 2 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7716. I. S. No. 22107-m. S. No. W-135.)

On August 31, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases, each containing 30 dozen shell eggs, consigned by D. C. Evans, Dodge City, Kans., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 24, 1916, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 25, 1916, A. B. Evans, Denver, Colo., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of eggs found to be unfit for food be destroyed and the portion found fit for food be released to said claimant, upon the filing of a good and sufficient bond, in conformity with section 10 of the act.

R. A. PEARSON, *Acting Secretary of Agriculture.*